

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SCHLUMBERGER TECHNOLOGY  
CORPORATION, as assignee of  
CHESAPEAKE OPERATING, INC.,

Plaintiff,

v.

FIRST MERCURY INSURANCE CO.,

Defendant.

No. 4:22-CV-01465

(Chief Judge Brann)

**ORDER**

**MARCH 31, 2023**

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant First Mercury Insurance Co.'s motion to dismiss Count III of Plaintiff Schlumberger Technology Corporation's Complaint is **GRANTED**.
2. Count III of Schlumberger's Complaint is **DISMISSED WITHOUT PREJUDICE**.
3. If Schlumberger wishes to plead over on Count III, it must file an amended pleading on or before **April 14, 2023**.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann  
Chief United States District Judge